(1) C.S. 10 (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 3356/2004

PETITIONER

Puranlal Sahu, aged about 37 years, son of Shri Premlal Sahu, resident of - Bhadrakali, Distt. Bijapur (Bastar).

3212/24/04
P.R. No.....
Presented by Shri S. L. Nishad
dated 22-Oct-24

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through : the Secretary, Department of Home, D.K.S. Bhawan, Mantralay, Raipur (C.G.)

RECEIVED COPY
22/9/04
Clerk to A.G. Bilaspur

2. The Director General of Police, Department of Home, Head Quarter, Raipur (C.g.)

3. The Superintendent of Police, District Bijapur, Bastar (CG)

4. Jitendra Mishra, Constable, Batch No. 374, Posted at Police Lines – Raipur (CG)

WRIT PETITION UNDER ARTICLES 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

25

आदेश पत्रक

मामला क्रमांक W.P.3356/ **सन्** 2004

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13-4-2005 On a mention being made, the case is taken up for hearing. Mr. T.K. Tiwari, counsel for the petitioner. Mr. Sanjay Shyam Agrawal, Govt. Advocate for the State/respondents No.1 to 3. The petitioner, who is working as Constable in the Police Department at Bhadrakali, District: Bijapur (Bastar), has preferred this writ petition being aggrieved by the action of respondent No.3 because respondent No.3 is not relieving him to join his duties at the new transferred place Durg in pursuance of the transfer order dated 26-2-2004 issued on 1-3-2004. Further case of the petitioner is that along with the petitioner, respondent No.4 was also transferred to Raipur, but he has been relieved immediately after the transfer order was issued. Reply has been filed on behalf of the State/respondents No.1 to 3 in which it has been mentioned that on account of the Municipal and Panchayat elections the petitioner could not be relieved, and the second ground is that due to paucity of the Police officials they are not able to relive the petitioner, as and when the reliever of the petitioner will come he will be relieved. I have heard learned counsel for the parties. It is admitted position that vide the impugned order dated 1st March, 2004, the petitioner along with respondent No.4 was transferred, but respondent No.4 was relieved, whereas the petitioner has not been relieved, and almost more than one year has elapsed since the transfer of the petitioner, but he has not been relieved. In the circumstances, the grievance of the petitioner is just and proper. Respondent No.3 ought to have relieved the petitioner in compliance of the transfer order.	

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(26)

आदेश पत्रक

मामला क्रमांक W.P.3356/ **सन्** **2004**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	Therefore, the petition is allowed and respondent No.3 is directed to relieve the petitioner in compliance of his transfer order dated 1-3-2004, at the earliest. In view of this order, M.(W.)P.No.2951/2004, I.A.Nos.7154/2004 and 7155/2004 stand disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	

(पीछे देखिये)